



**PLEASE TAKE NOTICE THAT**, on June 9, 2010, at eleven-thirty o'clock in the forenoon, or as soon thereafter as counsel may be heard, the undersigned, counsel for the defendant, Mario A. Criscito, M.D., shall move before the Honorable Madeline Cox Arleo, U.S.M.J., United States District Court for the District of New Jersey, at the Dr. Martin Luther King, Jr., Federal Building and United States Courthouse, Courtroom 2A, 50 Walnut Street, Newark, New Jersey 07102, for an Order granting leave to file a third-party complaint against the above-named third-party defendants, pursuant to Fed. R. Civ. P. 14(a).

**PLEASE TAKE FURTHER NOTICE THAT**, in support of the within motion, the moving party shall rely upon the accompanying brief and declaration. A proposed third-party complaint, and a proposed form of Order, are submitted herewith.

**PLEASE TAKE FURTHER NOTICE THAT** the undersigned requests oral argument on the within motion, which has been granted by text Order dated April 14, 2010.

KERN AUGUSTINE  
CONROY & SCHOPPMANN, P.C.  
Attorneys for Defendant

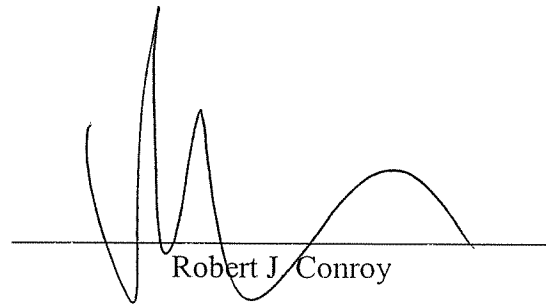
By: s/ Robert J Conroy  
Robert J. Conroy

Dated: Bridgewater, New Jersey  
April 26, 2010

**DECLARATION OF FILING AND SERVICE**

I hereby declare that the within Notice of Motion, Brief, Declaration of Counsel, proposed Third-Party Complaint and proposed form of Order were filed electronically this date via the Court's CM/ECF system, with copies simultaneously provided to counsel for the plaintiffs via the same method.

I declare under penalty of perjury that the foregoing statements made by me are true and correct.

A handwritten signature in black ink, appearing to read "Robert J. Conroy", is written over a horizontal line. The signature is stylized with several loops and a long horizontal stroke at the end.

Dated: Bridgewater, New Jersey  
April 26, 2010